

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department-Reservation of Forest Blocks-Wanaparthy FB of Mahaboob Nagar Forest Division- Payment of Compensation to Late C. Raja Gopalachari & other in lieu of their land to an extent of Ac. 809.08 included in Wanaparthy Forest Block- Orders-Issued.

ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY (FOR.I) DEPARTMENT.

G.O.Ms. No. 90

Dated:16.09.2009

Read the following:-

- 1.From Prl.CCF. Lr.No.35918/2003-J2, dated: 25-9-2008.
- 2.From Prl.CCF. Lr.No.35918/2003-J2, Dated: 26-11-2008.
- 3.State Govt. Memo.No.7625/For.I (2)/2008-3, Dated: 16-3-2009.
- 4.From Prl. CCF. Lr.No.35918/2003-J2, Dated: 8-6-2009.

ORDER:

The Principal Chief Conservator of Forests, Hyderabad in his letter 1st read above, has reported that the erstwhile Government of Hyderabad had proposed to constitute the lands to an extent of Ac.13,780.32 gts. as Wanaparthy Forest Block and a Notification was issued vide No.290 dt. 6-12-1950 This total notified area includes the survey number 1 to 49 of Anjangiri Village comprising an area of Acs.1346.29 gts. Subsequently the Govt. of A.P. in the year 1971 issued a notification under Section-4 of the A.P. Forest, Act, 1967 proposing this area to be constituted as Reserve Forest. The total area of this block was notified as Acs.14,733.06 gts. This was published in the A.P. State Gazette bearing No.23, dt. 12-8-1971. Further, the proclamation under Section 6 of A.P. Forest Act, 1961 was published in Mahaboobnagr Dist. Gazette bearing No.12 dt. 12-12-1971.

2. The Prl.CCF. has also reported that Sri G.Raja Gopala Chary & other had claimed their land to an extent of Ac.809.08 gts. in Anjangiri Village which was included in the above notifications. The Forest Settlement Officer, in his order dt. 29-7-1995, has also mentioned that the area measuring Ac.809.08 gts. located in Sy.No.6, 17/1 and 17/2 was under the possession of Forest Department right from 1950 and reported that monetary compensation is to be paid for it and he has fixed compensation for Rs.1650/- per acre. On the above orders of Forest Settlement Officer, the Divisional Forest Officer, Mahaboobnagar filed a petition before Add. Dist. Judge Mahaboobnagar to set aside the orders of the FSO. However, Addl. District Judge, Mahaboobnagar vide order dt. 9-6-2003 ordered for revision of market value of the land from Rs.1650.00/acre to Rs.700/Acre.

4. Aggrieved with the above orders of Addl. District Judge, the applicant had filed a CRP No.6432 of 2004 before Hon'ble High Court of A.P. The Hon'ble High Court in its orders dated: 20-9-2007 has enhanced the compensation at the rate of Rs.1000/-- per acre instead of Rs.700 per acre for the land admeasuring Ac.809.08 gts of Anjangiri (V) belonging to Sri C.Raja Gopala Chary & other which was included in Wanaparthy Forest Block.

5. On the above orders of Hon'ble High Court, the Department has filed a SLP before Hon'ble S.C. of India. The Hon'ble Supreme Court of India in its order dt. 1-8-2008 has dismissed the SLP stating "No ground is made out for interference under Article 136 of the Constitution of India. By this order, the orders of High Court of A.P. dt. 20-9-2007 becomes final and Government/ Forest Department will have to pay Cash Compensation to Sri C.Raja Gopala Chary & others".

6. The Principal Chief Conservator of Forests in his letter 4th read above has reported that as per the calculation of Forest Settlement Officer, Mahaboobnagar, an amount of Rs.38,04, 590.70 has to be paid to the petitioners as Cash Compensation for the land to an extent of Ac.809.08 gts. as per High Court order and requested the Government to provide a budget of Rs.38,04,590.70.

7. Government after examination of the whole issue and keeping in view of the orders of Hon'ble High Court in CRP No.6432 of 2004 dt.20-9-2007, hereby accord sanction to Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad for Rs.38,04,590.70 (Rupees thirty eight lakhs, four thousand, five hundred ninety and seventy paise only) for payment of Cash Compensation to Sri C.Raja Gopala Chary & Others in lieu of their land to an extent of Ac. 809. 08 included in Wanaparthi Forest Block in Mahaboobnagar Forest Division.

8. The above sanctioned amount shall be debited to the head of Account 2406-01-001-(03) District Office-500/503 other Expenditure (Charged) and shall initially be met by way of an advance from consolidated fund, orders regarding which will be issued by Finance (BG-I) department separately.

9. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad shall submit necessary supplementary proposals to Government at appropriate time during the current financial year 2009-10 to recoup above sanctioned amount to contingency fund.

10. This order issues with the concurrence of Finance Department vide their U.O.No.18540/123/A2/Expr. M & F/2009 dt. 28-7-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

JANAKI R. KONDAPI,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Principal Chief Conservator of Forests,
Andhra Pradesh, Hyderabad.

Copy to:

The Director of Treasuries and Accounts, A.P, Hyderabad.
The Pay and Accounts officer, A.P, Hyderabad.
The Divisional Forest Officer, Mahaboobnagar
The Finance (Expr. M&F) Department.
The Finance (BG-I) Department
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER.